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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF

**CISCO'S RESPONSE TO
DEFENDANT ARISTA NETWORKS,
INC.'S OBJECTIONS (DKT. 235) TO
SUPPLEMENTAL INTRINSIC
EVIDENCE RE CLAIM
CONSTRUCTION
(DKT. 234) SUBMITTED BY
PLAINTIFF CISCO SYSTEMS, INC.**

Claim Construction Hearing: April 8, 2016

Cisco provided notice that Cisco should be allowed to use Arista's Petitions for *Inter Partes* Review and accompanying declarations in the *Markman* hearing to the extent that Arista is allowed to use Cisco's Preliminary Patent Owner Responses from the same proceedings for the same purpose (Dkt. 234), while maintaining its objections to Arista's submission of Cisco's Responses after the deadline for the identification of claim construction evidence in this case. *See* Dkts. 51, 217. In response, Arista objected that Cisco failed to provide citations to the IPR materials in its notice. Dkt. 235.

Cisco disagrees that Patent Local Rule 4-2(b) requires Cisco to provide additional specificity in this instance where the 4-2(b) deadline passed well before Arista's submission of IPR materials, and where Cisco's supplementation only seeks consideration of materials from the same IPR proceedings that Arista omitted from its submission in the event that Arista's submission is considered over Cisco's objections. To avoid dispute, however, Cisco provides the following citations to Arista's Petitions for *Inter Partes* Review and supporting materials:

Term	Evidence
"generic command" ('526 Patent)	Declaration of Douglas W. Clark, Ex. 1014, <i>Arista Networks, Inc. v. Cisco Technology, Inc.</i> , Case No. IPR2016-00119 ¶¶ 38, 50-51.
"the command parse tree having . . ." ('526 Patent)	Petition for <i>Inter Partes</i> Review, <i>Arista Networks, Inc. v. Cisco Technology, Inc.</i> , Case No. IPR2016-00119, at 14-15, 22.
"command line interface (CLI) parser" ('886 Patent)	Petition for <i>Inter Partes</i> Review, <i>Arista Networks, Inc. v. Cisco Technology, Inc.</i> , Case No. IPR2016-00244, at 15.

DATED: April 7, 2016

Respectfully submitted,

/s/ Mark Tung

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